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SATURDAY, NOVEMBER 28, 1903.

No Gag Law.

It was stated in our local columns yesterday that the Kezzell-Barksdale primary election bill is a subject of much discussion in political circles, most of those who originally contended for the primary election principle being opposed to its provisions.

The Legislature will make a great blunder, in our opinion, if it enacts this bill into law, and will bring down much censure upon its head. The bill will not satisfy any class, for it is neither one thing nor the other. It is called a primary election bill, but it is not. Nor is it, properly speaking, a convention measure. It is a mixture of convention and primary, a little of both, and will satisfy neither those who are for the one or the other.

But while that is objection enough, there is a greater objection still. The bill is a measure to meddle with strictly party affairs, with matters with which the Legislature has nothing to do. If the bill becomes law, it will be illegal in this state for a political party to hold a direct primary election to select a candidate for Governor, a candidate for the House of Representatives, or a candidate for the United States Senate. If the Republicans were in control of the Virginia Legislature and should attempt to pass a bill like this, forbidding the Democrats to hold a direct primary, there would be a howl of indignation from one end of the Commonwealth to the other. The Legislature has no business to make a law providing the manner in which this party and that shall select its candidates. It is a dangerous precedent for the Legislature to set, and we hope the bill will be defeated.

What the General Assembly should do is to enact a general primary law, which will provide the necessary machinery for conducting primary elections, but leaving it entirely optional with the several parties in the State whether or not they will select their nominees by the primary plan or the convention plan. We are uncompromisingly opposed to a law that will prohibit any party in Virginia from selecting its candidates by direct vote in a primary election.

Difficulties of Prohibition.

In discussing the prohibition law of Danville, Rev. Dr. A. Cleveland Hall said that the prohibition of local legal sale of intoxicants does not prohibit the purchase from foreign sources. "In other words," said he, "your law does not prohibit the purchase of intoxicants."

Of course, it does not, and that is where prohibition is defective, it has been time and again decided by the courts that the liquor traffic is a fit subject for regulation by law; that no man has the inherent right to sell intoxicants, and, therefore, may be prohibited by law from doing so. But it has never been decided by the courts, and it never will be so decided that no man has the right to purchase and drink intoxicating liquors. That is a matter of personal privilege and under our form of government the law cannot interfere.

The reason of this is simple. It is not a crime to buy or drink intoxicating liquors, and it cannot be made so by law. The practice may be sinful, but it is not criminal. It may be called criminal, but it is not criminal as the law recognizes crime to be.

Prohibitionists have contended that because prohibition laws are not rigidly enforced, because they are violated here and there, is no more argument against prohibition than it would be to argue that the laws against theft should be abolished because they are not always enforced and because men steal in spite of them. But the difference is, as we have already pointed out, that theft is a crime, while drinking liquor is not, in the eyes of the law. The law makes it a crime not only to steal, but to receive stolen goods. A better illustration is found in the law against bribery in elections. The law makes it a crime to purchase a vote as well as a crime to sell a vote, and proceedings can be instituted against both the bribe-giver and the bribe-taker. If this rule could be applied to the liquor traffic, it would be much easier to enforce a prohibition law. If it were a crime in law to buy and drink intoxicants, as well as to sell intoxicants, the point which the Rev. Dr. Hall makes against the prohibition law would be without force. But the Danville law does not apply to the receiver of intoxicating liquors, and cannot, under our code, be made to apply.

If a man drinks to drunkenness and makes a public nuisance of himself, he may be taken up and fined for his offense.

But so long as he drinks in moderation and in decency, and so long as he does not violate the rules of propriety as recognized by society, he may drink as much as he pleases, and the law can no more interfere with him than it can interfere with a man for eating, or for the indulgence in any sort of amusement or even dissipation, which is not recognized in law as criminal. Nor can the law prevent him from purchasing liquor from any source.

Therefore, when the Rev. Dr. Hall argues, as he seems to argue by indirection, that prohibition cannot be made effective because it does not prohibit the purchase, as well as the selling of intoxicating drinks, he argues that prohibition is a failure. After all, this is a question of demand and supply. So long as there is a demand for anything in this world, the supply in greater or less degree will be forthcoming, provided it be within the range of possibility. In order to make prohibition effective, we must make both the demand and the supply illegal, and even then it would be next to impossible to prohibit altogether the sale and purchase of drink. The only way in which we could get anything like absolute prohibition in the United States would be to make it illegal to manufacture or sell or purchase any sort of intoxicating liquors, and even then we should not have absolute prohibition, for it would be manufactured on the sly at home and smuggled in from other countries.

As absolute prohibition is an impossibility, it is a foregone conclusion and an accepted fact that liquor will be sold one way or another, and consumed, and it is for this reason that we have always contended that the liquor traffic reduces itself to a question of regulation.

The Vice-Presidency.

A boom has been "launched" in Washington to make Speaker Cannon the Republican nominee for Vice-President. But the question is whether he wants to give up a position of much power, for one that is of no great importance. And yet there is always a chance of a Vice-President succeeding to the presidential chair.

For his part Mr. Cannon says he is satisfied with his present "job," and does not want to give it up. Well, he need not accept unless he wishes, and it will not do for him to assume that the place will be offered him. However, he is no tyro in politics. There are few shrewder Congressmen than he is, and just now he is receiving praise for the disposition he manifests to deal with the Democrats fairly in the matter of committee assignments.

Governor-elect Herrick, of Ohio, is "also mentioned" in connection with the Republican vice-presidential nomination, and if he wants it we guess Mr. Hanna could "land" it for him. Yet the Republicans have no specially strong reasons for desiring to go to Ohio for a nominee. From their point of view there are other States more doubtful than Ohio. However, it is none of our business to assist them in slate making.

Mr. Cannon was born at Guilford, N. C., May 7, 1836; but has been away from the old North State a long, long time.

The Editors at St. Louis.

The Executive Committee, in charge of the World's Press Parliament, to be held in St. Louis during the week beginning May 16, 1904, has announced through its secretary, Walter Williams, the Exposition's commissioner to the Foreign Press, tentative plans for the Parliament. Arrangements already perfected indicate that it will be the largest and most notable gathering of newspaper workers over held. It is expected that the leading journalists of many foreign countries will attend. The National Editorial Association of the United States has voted to meet in St. Louis at the same time. Among the State press associations which have already decided to participate in the Parliament are those of New York, California, Massachusetts, Utah and Kentucky. Sessions will be held in the morning in Festival Hall, the afternoons and evenings being devoted to visiting the Exposition.

Br'er Rabbit and Br'er Snake.

At a meeting of a Republican club in Senator Hanna's city the other night, various indirect references were made to "a possible candidate." By and by, one of the members, more frank than the others, arose and said:

Why beat about the bush? Why not come out squarely and say what you mean? I tell you, gentlemen, that Hanna is the choice of the majority of the people for President. The financial interests and the South are for Hanna. They will control the convention.

Every time Senator Hanna hears a remark like this he holds up his hands in protest and says: "Don't do it, boys! For goodness' sake, don't talk about putting me in the White House. You know the bare thought of such a thing gives me nervous prostration." Which reminds me of the prayer of Br'er Rabbit: "Don't throw me in de briar patch!"

Summer no longer lingers in the lap of winter, and that ought to be obvious to everyone, but that it isn't may be seen by observing how frequently doors of street cars are left open, when they should be closed. Some conductors are careful enough to see that the doors in their charge are closed when possible, but others are indifferent. Being "warm blooded" themselves they seem to think all their patrons are likewise blessed. A reform in this direction would be in order, and would be welcomed by thousands of people who suffer from cold drafts of air.

Unless the people of Richmond do better than they are now doing in the matter of paying their State poll-tax, not only will thousands of them be incapacitated from voting next year, but the city will suffer in reputation. The present condition of things is evidence of a lack of civic pride unwelcome to a citizen of Richmond. We grieve to see it. Friends, if you don't care to exercise the right of suffrage, at least show your interest in the good name of the city.

Paul Smith's Way.

Paul Smith, of Adirondack fame, has a way of making everything he touches turn to money, although he is too kind hearted to spend any one for the sake of mere filthy lucre, says the New York Times. Some years ago the blacksmith of the blacksmith into the woods, carefully counted out \$30, which he put into his own pocket, and gave the remaining \$30 to the blacksmith.

Personal and General.

Rev. J. M. Hanzey, of Mason City, Ill., during the years of his ministry, has joined 2,812 people in marriage. His age is seventy.

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